



June 10, 2008

The Honorable Joseph C. Spero
Magistrate Judge, United States District Court
450 Golden Gate Avenue
San Francisco, CA 94102

Via Electronic Filing¹

Re: Communities for a Better Environment v. Action Metal; Case No. C07-02768 JCS

Dear Judge Spero:

The parties in the above-referenced action have entered into a Consent Agreement, a copy of which was sent to the Court on April 21, 2008. As required by the Clean Water Act, 33 U.S.C. section 1365(c) and 40 C.F.R. section 135.5, the parties provided copies for review to United States Department of Justice ("DOJ") and United States Environmental Protection Agency.

The forty-five day review period required by federal law has passed. In a letter to the Court dated June 6, 2008, DOJ stated that it has no objection to the Court's entry of the Consent Agreement.

Accordingly, the parties jointly request that the Court sign the Consent Agreement, and sign and enter the Stipulation and Order dismissing the Complaint with prejudice under Rule 41(a)(2) of the Federal Rules of Civil Procedure and providing for continuing Court jurisdiction over the Consent Agreement.

If you have any questions or comments concerning this request, please do not hesitate to contact me by telephone at (510) 302-0430 extension 18, or by e-mail at slazerow@cbecal.org. Thank you for your attention to this matter.

Sincerely,

Shana Lazerow
Communities for a Better Environment

¹ Pursuant to General Order 45 IX, this action being designated for electronic filing, the above document is deemed served on Defendant upon filing via the ECF.